

**U.S. Department of the Interior
Bureau of Land Management
Pecos District, Roswell Field Office**

**Documentation of Land Use Plan Compliance and NEPA Adequacy (DNA)
DOI-BLM-NM-P010-2011-204-DNA**

A. Roswell Field Office

Lease/Serial/Case File No: Allotment 63034

Proposed Action Title/Type: Authorization of approximately 6.5 miles of water pipeline on public land and 4 new drinkers and one storage

Location of Proposed Action: T. 4 S., R. 18 E. Section 11,12,14
T. 3 S., R. 18 E. Section 24
T. 3 S., R. 19 E. Section 15,17,27,34
T. 4 S., R. 19 E. Section 3

NMPM, Lincoln County, New Mexico

Description of Proposed Action: Construction and/or authorization of approximately 6.5 miles of new water pipeline buried in three separate locations on BLM. There will also be four new drinkers and one new storage all on public land along these lines. (See attached Map)

B. Conformance with the Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans

LUP Name: *Roswell Resource Management Plan*, Date Approved: October 1997

LUP Name: *New Mexico Standards for Rangeland Health & Guidelines for Livestock Grazing Management*, Date Approved: January 2001

Other document: *DOI-BLM-NM-060-2004-117-EA*, Date Approved: 8/13/2004

The proposed action is in conformance with the applicable LUPs, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions) and, if applicable, implementation plan decisions:

Livestock Grazing Management, p. 31: "Rangeland improvements and vegetation treatments will continue to be implemented to improve or maintain forage productions and range condition, in an effort to achieve the Desired Plant Community." And Appendix 8: Decisions from Previous Planning Documents which are carried forward.

C. Identify the applicable NEPA document(s) and other related documents that cover the proposed action.

DOI-BLM-NM-060-2004-117-EA, Date Approved: 8/13/2004

D. NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed?

Yes, this new construction will substantially serve the same purpose, differing only in location.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, resource values and circumstances?

Yes, no new environmental concerns have been raised. Resource values will increase as the pipeline will serve to reduce grazing pressure elsewhere.

3. Is the existing analysis adequate and are the conclusions adequate in light of any new information or circumstances? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis on the proposed action?

Yes. No new information or circumstances have been made apparent.

4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?

Yes.

5. Are the direct and indirect impacts of the current proposed action substantially unchanged for those identified in the existing NEPA document(s)? Does the existing NEPA document sufficiently analyze site-specific impacts related to the current proposed action?

Yes.

6. Can you conclude without additional analysis or information that the cumulative impacts that would result from the implementation of the current proposed action are substantially unchanged from those analyzed in the existing NEPA document(s)?

Yes.

7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Yes. The original EA was reviewed by members of the public, NM Game & Fish, the allottee and other interested publics.

E. Interdisciplinary Analysis: Identify those team members conducting or participating in the preparation of this worksheet.

See attached EA Checklist.

F. Mitigation Measure:

Please review the original EA for mitigation measures and construction requirements.

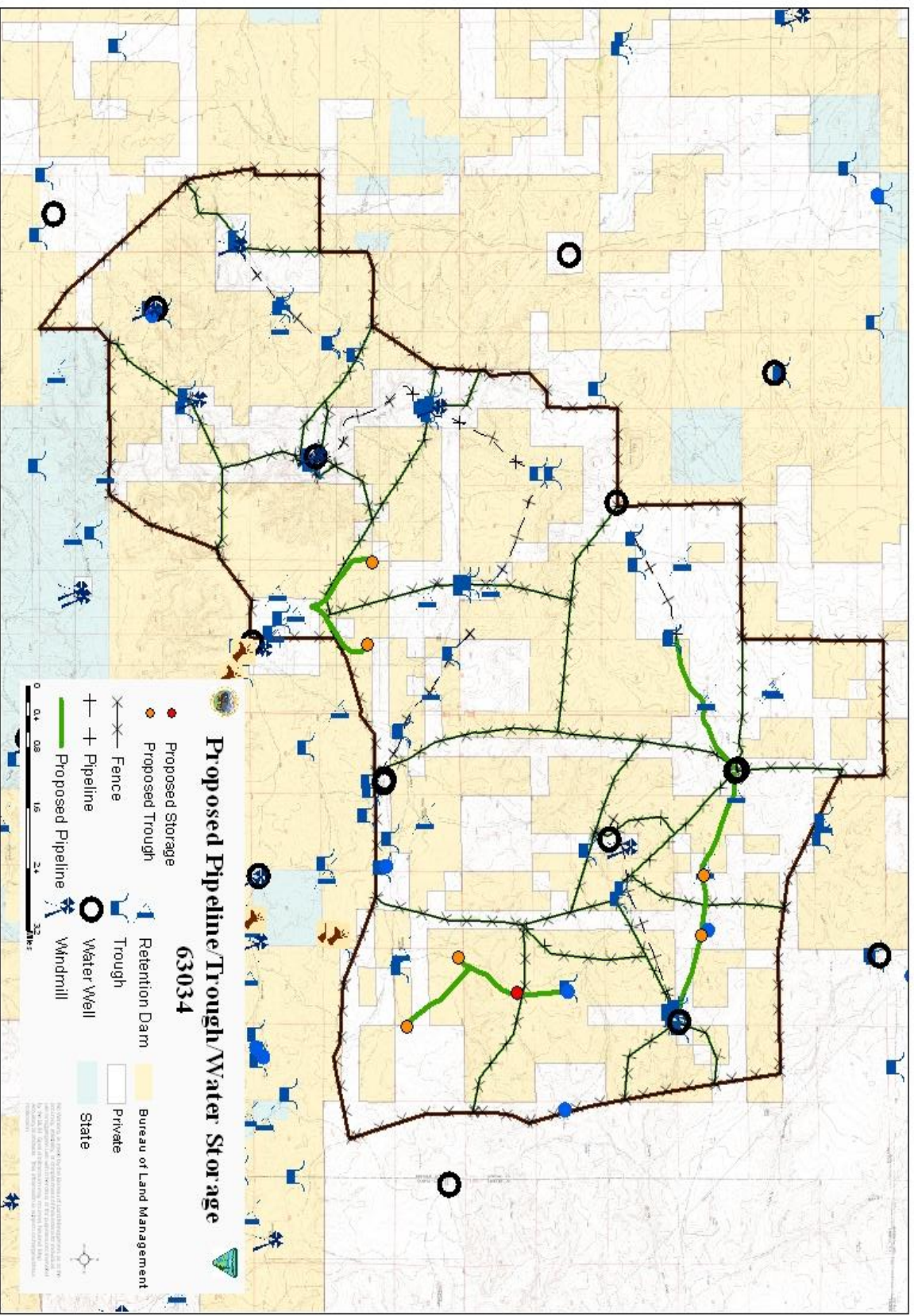
1. Archaeology report 12-R-023A includes survey for the northern pipeline segment that is approximately 5 miles in length (see project map). This project will be tiered due to budget constraints as the materials for the northern portion will be supplied immediately and the materials for the southern two segments will be supplied in the future. The two southern segments must be surveyed for archaeology prior to project implementation on those two portions. If 'Historic Properties' are found along the two southern segments, those segments will be rerouted to avoid the archaeology.

Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the existing NEPA documentation fully covers the proposed action. This constitutes BLM's compliance with the requirement of NEPA.

/s/ Jerry Dutchover
Signature of the Responsible Official

04/26/2012
Date



Bureau of Land Management, Roswell Field Office
Environmental Assessment Checklist, DOI-BLM-NM-P010-2011-204-DNA

Resources	Not Present on Site	No Impacts	May Be Impacts	Mitigation Included	BLM Reviewer	Date
Air Quality			X	X	SWA Spec/Hydro. /s/ Michael McGee	11/7/2011
Soil			X	X		
Watershed Hydrology			X	X		
Floodplains			X	X		
Water Quality - Surface			X	X		
Water Quality - Ground			X	X	Hydrologist /s/ Michael McGee	11/7/2011
Cultural Resources			X	X	/s/ Jeremy Iliff	4/2/2012
Native American Religious Concerns	X				Archaeologist 12-R-023A	
Paleontology	X					
Areas of Critical Environmental Concern	x				/s/Glen Garnand for Plan & Env. Coord.	4/2/2012
Farmlands, Prime or Unique		X			/s/Tate Salas Realty Specialist	9/29/2011
Rights-of-Way		X				
Invasive, Non-native Species			X	X	/s/ Adam Ortega Range Mgmt. Spec	1-30-2012
Vegetation			X	X		
Livestock Grazing			X	X		
Wastes, Hazardous or Solid	X				/s/ Jared Reese Nat. Resource Spec.	10/4/2011
Threatened or Endangered Species	X				/s/ D Baggao Biologist	10/12/2011
Special Status Species	X					
Wildlife			X	X		
Wetlands/Riparian Zones	X					
Wild and Scenic Rivers	X				/s/Bill Murry Outdoor Rec. Plnnr.	9/30/2011
Wilderness	X					
Recreation		X				
Visual Resources			X	X		
Cave/Karst		X			/s/ Jared Reese Nat. Resource Spec.	10/4/2011
Environmental Justice		X				
Public Health and Safety		X				
Solid Mineral Resources		X			/s/ Al Collar Geologist	10/05/2011
Fluid Mineral Resources			X		/s/ John S. Simitz Geologist	11/2/2011

DECISION RECORD
Cowboy Mill Pipeline Construction
DOI-BLM-NM-P010-2011-204

DECISION: It is my decision to authorize the construction of approximately 6.5 miles of water pipeline with 4 new drinkers and one storage on the public land within the Cowboy Mill allotment, #63034.

Location of Proposed Action: Township 4 South, Range 18 East Section 11,12,14
T. 3 S., R. 18 E. Section 24
T. 3 S., R. 19 E. Sections 15, 17, 27, 34
T. 4 S., R. 19 E. Section 3
New Mexico Principle Meridian, Lincoln County, New Mexico

on Allotment #63034 Cowboy Mill.

(Please refer to the map in the Environmental Assessment.)

The surface protection procedures set forth in the proposed action have been incorporated into the Determination of NEPA Adequacy. Any comments made to this proposed action were considered and addressed.

Rationale for Recommendations: The decision to authorize the proposed action does not result in any undue or unnecessary environmental degradation. The action is consistent with planned actions presented in the Roswell Resource Management Plan, Oct, 1997.

In accordance with 43 Code of Federal Regulations, Part 4100, Sec 4160.2, any applicant, permittee, lessee or other affected interests may protest this proposed decision in person or in writing to the authorized officer, within 15 days after receipt of this decision. Please be specific in your points of protest.

The protection procedures for the proposed action are included in the Cooperative Agreement and are attached as stipulations. Any additional mitigation measures identified for the proposed action in the environmental impacts sections of the attached environmental assessment have been formulated into stipulation. This decision incorporated by reference the attached stipulations.

In addition to the addressee, this decision has been provided to:

Legacy Land & Livestock LLC
212 East 4th Street
Roswell, NM 88201

Best Corn Ranch LLC
1300 West Fourth Street
Roswell, NM 88201

New Mexico Department of Game & Fish
1912 West Second
Roswell, New Mexico 88201

Pursuant to the provisions of 43 CFR 4.21, 4.470 and 4160.4 you are allowed 30 days from the receipt of this Final Decision in which to file an appeal to the Field Office Manager and to those listed above for the purpose of a hearing before an Administrative Law Judge. Your appeal must state clearly and concisely in writing the reason(s) why you think the final decision is in error.

To receive consideration for staying the implementation of this decision, you must specify how you would be harmed if the stay were not granted. If a petition for stay is not granted, the decision will be put into effect following the 30-day appeal period. Appeals can be filed at the following address:

Field Office Manager
Bureau of Land Management
Roswell Field Office
2909 West Second Street
Roswell, NM 88201

In addition to filing at this address, those listed above must also be served copies of the appeal (43 CFR 4.470(a)).

/ s/ Jerry Dutchover
Jerry Dutchover, Assistant Field Manager, Resources

05/01/2012
Date